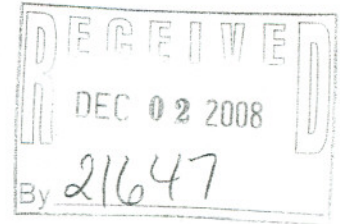




TOWNSHIP OF WEST MILFORD
Office of the Township Clerk
1480 Union Valley Road
West Milford, New Jersey 07480
973-728-7000
FAX 973-728-2704



December 1, 2008

Mr. John Weingart, Chairman
New Jersey Highlands Council
100 North Road (Rt. 513)
Chester, NJ 07930

Dear Mr. Weingart:

Re: **Resolutions 2008-420 and 2008-421**

Enclosed please find certified copies of the following resolutions:

2008-420 a resolution of the Township of West Milford, County of Passaic and State of New Jersey providing notice of intent to petition the Highlands Council for Plan Conformance.

✓ **2008-421** a resolution of the Township of West Milford, County of Passaic and State of New Jersey seeking an extension of the deadline to petition for substantive certification pursuant to executive order 114 and the memorandum of understanding between the Highlands Council and the Council on Affordable Housing.

The Township Council of the Township of West Milford adopted these resolutions on November 26, 2008.

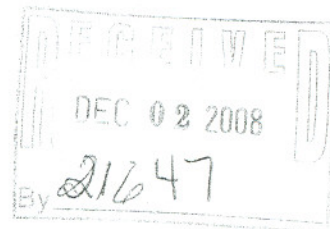
Very truly yours,

Diane Curcio
Office of the Township Clerk

Enclosures

Township of West Milford
Passaic County, New Jersey

~ Resolution 2008-421 ~



RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY SEEKING AN EXTENSION OF THE DEADLINE TO PETITION FOR SUBSTANTIVE CERTIFICATION PURSUANT TO EXECUTIVE ORDER 114 AND THE MEMORANDUM OF UNDERSTANDING BETWEEN THE HIGHLANDS COUNCIL AND THE COUNCIL ON AFFORDABLE HOUSING

WHEREAS, on September 5, 2008, Governor Corzine signed Executive Order 114 which requires the Council on Affordable Housing (COAH) and the New Jersey Highlands Council (Highlands) to enter into a Memorandum of Understanding (MOU) designed to coordinate the regulations of both agencies by maximizing affordable housing opportunities while preserving critical environmental resources; and

WHEREAS, COAH and the Highlands have prepared such an MOU, which was adopted by COAH on October 29, 2008 and by the Highlands Council on October 30, 2008; and

WHEREAS, conformance with the Highlands Regional Master Plan (Plan Conformance) requires revisions to municipal and county master plans and development regulations as applicable to the development and use of land to align them with the goals, requirements, and provisions of the Regional Master Plan; and

WHEREAS, COAH regulations establish a December 31, 2008 deadline for municipalities currently under the jurisdiction of COAH to submit third round petitions for substantive certification of a municipal housing element and fair share plan; and

WHEREAS, the MOU establishes a procedure that municipalities under the jurisdiction of both COAH and the New Jersey Highlands Water Protection and Planning Act may follow to seek an extension to the December 31, 2008 deadline set by COAH for the submission of third round petitions for substantive certification of a municipal housing element and fair share plan; and

WHEREAS, the MOU provides for an extension of the December 31, 2008 deadline to December 8, 2009 for any Highlands municipality under COAH's jurisdiction that, before December 31, 2008: 1) submits a duly adopted Notice of Intent to Petition in accordance with the Highlands Council's Plan Conformance Guidelines; and 2) submits a duly adopted resolution notifying COAH of its intent to petition COAH no later than December 8, 2009; and

WHEREAS, on November 26, 2008, the governing body of the Township of West Milford adopted a resolution notifying the Highlands that the Township has set December 8, 2009 as the target date for submission of a Petition for Plan Conformance.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of West Milford, County of Passaic and State of New Jersey that it hereby agrees that its deadline for the submission of a Housing Element and Fair Share Plan pursuant to N.J.A.C. 5:96-16 is extended from December 31, 2008 to December 8, 2009; and

BE IT FURTHER RESOLVED that the governing body of the Township of West Milford hereby directs the Township Clerk to immediately transmit a signed and sealed copy of this resolution to COAH; and

BE IT FURTHER RESOLVED that the governing body of the Township of West Milford intends to submit a petition for substantive certification of a third round Housing Element and Fair Share Plan to COAH not later than December 8, 2009.

This resolution shall take effect immediately.

Adopted: November 26, 2008

Adopted this 26th day of November 2008
and certified as a true copy of an original.

A handwritten signature in black ink, appearing to read 'B. Battaglia', written over a horizontal line.

Antoinette Battaglia, Township Clerk

Resolution Book; Administrator; LUA; COAH, Highlands Council, GIS, Engineer; Subject File